

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

ALICE ESTLE, : Case No. 3:11-cv-149  
Plaintiff, : District Judge Walter H. Rice  
vs. : Magistrate Judge Michael J. Newman  
COMMISSIONER OF :  
SOCIAL SECURITY, :  
Defendant. :  
\_\_\_\_\_

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATION (DOC. #18)  
IN ITS ENTIRETY; DENYING AS MOOT PLAINTIFF'S INITIAL MOTION FOR  
ATTORNEY'S FEES AND COSTS (DOC. #16); AND GRANTING THE JOINT  
STIPULATION TO ATTORNEY'S FEES AND COSTS UNDER THE EQUAL ACCESS  
TO JUSTICE ACT (DOC. #17)**

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The Court has reviewed the January 25, 2013 Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #18), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b)(2) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that Plaintiff's initial motion for attorney's fees and costs under the Equal Access to Justice Act ("EAJA") (Doc. #16) is **MOOT AND DENIED**; the joint stipulation for an EAJA fees and costs award (Doc. #17) is **GRANTED**; and Plaintiff is **AWARDED** the sum of \$3,422.63 in EAJA fees and costs. This case remains **TERMINATED** upon the Court's docket.

February 19, 2013



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WALTER HERBERT RICE, JUDGE  
UNITED STATES DISTRICT COURT